



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

ELP

Docket No. 1492-00

21 July 2000

[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 July 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 10 January 1977 for four years at age 17. You were advanced to OSSA (E-2) and served for nearly a year without incident. However, during the 31 month period from January 1978 to August 1980 you received seven nonjudicial punishments (NJP). Your offenses consisted of violation of a general order, five brief periods of unauthorized absence, disobedience, disrespect, absence from your appointed place of duty, and assault.

The record further reflects that you were held beyond your normal date of expiration of enlistment of 9 January 1981 in order to receive medical treatment for an injury received in the line of duty. On 25 March 1981, you were released under honorable conditions, transferred to the Naval Reserve, and assigned an RE-4 reenlistment code. Your final performance evaluation, military behavior and overall traits averages are not on file in the record.

On 6 April 1982, a DD Form 215 was issued correcting the social security number appearing on your DD Form 214 to 099-52-9316. A copy of the DD Form 215 is enclosed. A certified copy may be requested from the custodian of your record, the Naval Personnel Records Center, Military Personnel Records, 9700 Page boulevard, St. Louis, MO 63132.

You were issued an honorable discharge upon completion of your military obligation on 4 November 1982.

Regulations require the assignment of an RE-4 reenlistment code to individuals who are not recommended for reenlistment. Absent evidence to the contrary, the Board concluded that the seven NJPs provided sufficient justification to warrant a non-recommendation for retention and assignment of an RE-4 reenlistment code. Since it appears you were treated no differently than others separated under similar circumstances the Board could find no error or injustice in your assigned reenlistment code. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure

CAUTION: NOT TO BE USED FOR
IDENTIFICATION PURPOSES

ANY ALTERATIONS IN SHADED ARE AS
RENDER FORM VOID

1 NAME (Last, first, middle) [REDACTED]		2 DEPARTMENT, COMPONENT AND BRANCH NTPC-036c:MLC:1d-U.S. NAVY		3 SOCIAL SECURITY NO. (Also, Service Number if applicable) [REDACTED]	
4 MAILING ADDRESS (Include ZIP Code) [REDACTED]				[REDACTED]	
5. ORIGINAL DD FORM 214 IS CORRECTED AS INDICATED BELOW					
ITEM NO.		CORRECTED TO READ			
3.		SEPARATION DATE ON DD FORM 214 BEING CORRECTED <u>25 MARCH 1981</u> [REDACTED] BY DIRECTION OF THE COMMANDER, NAVAL MILITARY PERSONNEL COMMAND: <i>il</i> <i>NA</i> <i>34</i> <i>il</i> <i>F. G. Miller</i>			
6 DATE 6 APR 1982		7. TYPED NAME, GRADE, TITLE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN F. G. MILLER Special Assistant <i>il</i>			

DD FORM 215
1 JUL 79
S/N 9102-1F-000-2150

PREVIOUS EDITIONS
OF THIS FORM ARE
OBSOLETE

CORRECTION TO DD FORM 214, CERTIFICATE OF RELEASE OR
DISCHARGE FROM ACTIVE DUTY

SERVICE - 2